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UNITED NATIONS CHILDREN'S FUND

EXECUTIVE BOARD

March organizational session

SUMMARY RECORD OF THE 2nd MEETING

Held at Headquarters, New York,
on Tuesday, 24 March 1992, at 3 p.m.

Chairman: Miss SETH (India)

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This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent to Mrs. M. A. Cuna, Office of the Secretary of the Executive Board, room H-12K, UNICEF House, 3 United Nations Plaza, New York.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

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The meeting was called to order at 4.15 p.m.

ADOPTION OF THE AGENDA

MAJOR ISSUES BEFORE THE 1992 REGULAR SESSION (EB/1992/006)

(a) PROGRAMME MATTERS

(b) EXTERNAL RELATIONS MATTERS

(c) ADMINISTRATION AND FINANCE MATTERS

1. Mr. JOLLY (Deputy Executive Director, Programmes) briefly introduced the nine groups of programme matters to be submitted to the Executive Board for consideration in June.

2. (1) The medium-term plan for the period 1992-1995 (E/ICEF/1992/3) set forth the programme policies and explained how they were linked to national programmes of action. The major questions covered in it included the follow-up of the World Summit for Children, human development priorities in aid budgets of donor countries (a matter that UNICEF had considered jointly with UNDP and the Development Assistance Committee), cooperation in the least developed countries and the role of UNICEF on all matters relating to the Convention on the Rights of the Child.

(2) Priority support for Africa, including the question of the mobilization of resources on the African continent and at the world level in order to achieve in Africa the objectives of the World Summit for Children (E/ICEF/1992/L.4).

(3) Questions relating to Central and Eastern European countries and the Commonwealth of Independent States (E/ICEF/1992/CRP.3). UNICEF would prepare a document outlining the new elements of its policy towards those countries and the secretariat of UNICEF would prepare a document for the June session of the Executive Board explaining options regarding the level and duration of UNICEF support for those countries.

(4) The role and status of women (E/ICEF/1992/2 and L.5).

(5) Health strategies: sustainability, integration and national capacity-building (E/ICEF/1992/L.7). The Executive Board would consider a large number of questions relating to those strategies, including acute respiratory infections which, following the remarkable success of the child immunization and oral rehydration programmes, had become the leading cause of child mortality (E/ICEF/1992/L.12), the AIDS epidemic, considered in the light of new developments concerning that disease (E/ICEF/1992/L.11), an evaluation of the Bamako Initiative (E/ICEF/1992/L.22 and 23) and the report of the UNICEF/WHO Joint Committee on Health Policy (E/ICEF/1992/L.18).

(Mr. Jolly)

(6) Inter-agency cooperation. The emergency relief operations conducted jointly by UNICEF with other bodies had been very important over the past year; UNICEF expenditure in that field had risen to about $110 million. A special document on cooperation between UNFPA and UNICEF would be prepared shortly.

(7) Questions relating to environmentally sustainable development, which were being highlighted in the current year because of the forthcoming United Nations Conference on Environment and Development (E/ICEF/1992/L.8).

(8) Country programmes, regional programmes and interregional programmes (E/ICEF/1992/P/L.2 and Add.1, L.3, L.10, L.32, L.43 and L.46). Thirty-seven five-year country programme recommendations were being submitted to the Executive Board in June for approval. Estimated expenditures would be around $430 million from general resources and $600 million from supplementary funds. Those projects, grouped by region, would be submitted to the Board for approval concurrently with the reports of regional directors and regional and interregional programme recommendations. Special mention should be made of a programme recommendation for South Africa: the three-year programme, covering the period 1992-1994, would be financed from general resources and supplementary funds and would enable UNICEF to pursue in South Africa the objectives of the World Summit for Children, in cooperation with South African non-governmental organizations. In particular, the programme provided for the establishment of a UNICEF office in South Africa when the situation in that country so permitted.

(9) Global funds (E/ICEF/1992/L.10). Proposals concerning the use of those funds over the next few years would be submitted in the form selected by the study groups. Those funds would be divided into three main funds managed from New York: the Interregional Fund for Programme Preparation, Promotion and Evaluation (IFPPE), the Emergency Reserve Fund and the Programme Fund for the 1990s. The regional IFPPE would be retained.

During informal meetings of the Executive Board in June, there would be in-depth presentations of seven country programme recommendations; the countries would probably be, for Africa: Namibia, Senegal and Tanzania; for Asia: Cambodia and Pakistan; for the Middle East and North Africa: Morocco; and for Latin America: Peru.

3. Mr. GAUTAM (Director, Planning and Coordination), reviewing the World Summit for Children follow-up activities, said that many such activities were being carried out at all levels, and over 100 countries were developing national programmes of action. The greatest number of such programmes undertaken and finalized was in Latin America and the Caribbean. In Asia, they were often combined with five-year economic plans. In Africa, almost every country had indicated that it was conducting follow-up activities, with the exception of those in extreme emergency situations. Among the industrialized countries, four had completed their national programmes of

(Mr. Gautam)

action and 10 others had begun implementation. Thirty industrialized countries, including some from Central and Eastern Europe and the former Soviet Union, had not reported any national programme of action. There were a number of very encouraging developments. In many countries, especially developing countries, national programmes of action were being established at the ministerial level and NGOs were participating actively in their formulation. The role and involvement of other United Nations agencies and international organizations in World Summit follow-up activities was substantial, though uneven. The Secretary-General had written to the heads of all the United Nations agencies asking them to participate in the World Summit follow-up activities; they had responded, saying that they were doing so. The Director-General for Development and International Economic Cooperation had written to the Resident Coordinators asking them to play a leading role in establishing national programmes of action in developing countries and had received a similar response. The governing bodies of WHO and UNESCO and the WHO/UNICEF and UNESCO/UNICEF joint committees had reviewed Summit follow-up activities and had instructed their secretariats to fully support such activities. Finally, reports received from developing countries indicated that WHO, UNFPA, UNESCO and the World Bank were participating in those activities and that UNDP was playing an especially active role in that regard in Central America.

4. The degree to which a country incorporated Summit objectives and strategies in its long-term plan and the amount of resources it allocated for the implementation of those objectives were both indicators of the importance it attached to the establishment of a national programme of action. Country reports were very encouraging on both those points. Regarding the second indicator, the first thing that had to be done was to estimate the resources that would be required to carry out those objectives. Many countries had already taken the necessary steps.

5. In conclusion, he emphasized that every country should take advantage of the experience gained by other countries; in that regard there were a number of meetings scheduled in various regions that would provide an opportunity for countries to exchange information.

6. Mr. VIANELLO-CHIODO (Deputy Executive Director, External Relations) recalled that two years earlier the Executive Board had requested the Executive Director to make the planning of external relations and advocacy an integral part of the medium-term plan (resolution 1990/14), a task which UNICEF had carried out.

7. UNICEF was using the Convention on the Rights of the Child, which had already been ratified by 114 countries, as a normative framework for its programmes, and the objectives for the 1990s as the basis for its programme strategy. It would assist in protecting the rights of children through the normal country programming process and would strengthen that assistance through regional and global advocacy.

(Mr. Vianello-Chiodo)

8. The baby-friendly hospital initiative, which was intended to encourage breast-feeding, was based on the commitment by major baby formula manufacturers to end the free distribution of their products in all developing countries. It had already been tried out in 12 developing countries and would soon be launched in 42 others. Although no decision had yet been taken with regard to industrialized countries, two major manufacturers had already agreed not to take any action that would compromise the success of the initiative. The Executive Board might wish to encourage that initiative further by urging the companies concerned to respect their commitments.

9. Ms. LOKHAUG (Deputy Executive Director, Operations) said that, although 1992 was not a budget year, the Committee on Administration and Finance would need to consider some important issues in order to follow up on several resolutions. In the context of the medium-term plan, it would have to consider the financial plan, so as to establish the appropriate framework for the formulation of programme recommendations to the Executive Board at its 1993 session as well as the financial framework for the 1994-1995 budget (administrative and programme support services).

10. The studies and documents requested by the Executive Board in its resolution 1991/30 were nearly complete and would be available to members of the Executive Board well before the regular session. They would also have to be submitted to the Advisory Committee on Administrative and Budgetary Questions, whose report on the issue would be presented to the Executive Board.

11. The study on the criteria used to decide which posts should be financed from core or other funds (resolution 1991/30) was nearly complete and would be submitted to the Executive Board for approval.

12. As far as the comprehensive review requested in resolution 1991/29 was concerned, the Secretariat, after examining the issue in consultation with the Bureau, had decided it would be preferable to postpone the study until after the Executive Board had reviewed the criteria for core posts and project posts. She asked the Board to come to a decision on that formula.

13. In implementation of resolution 1991/27 concerning office accommodation at Headquarters, the Secretariat had conducted studies and held negotiations; the details would be set forth in two documents which would be issued in time for the Executive Board session.

14. As for the review of the administrative and management structure of UNICEF (resolution 1991/31), the Secretariat was still reviewing the matter with the Bureau and would submit a document on the subject to the Board.

(a) PROGRAMME MATTERS

15. Mr. POST (Netherlands), referring to follow-up activities to the World Summit for Children, asked whether there was to be a debate on that item, possibly leading to the adoption of a resolution, or whether the subject would be raised only for the information of Executive Board members.

16. Mr. JOLLY (Deputy Executive Director, Programmes) replied that the conclusions should certainly be discussed. As for a resolution, that was for the Board to decide depending on whether it felt it had something important to say on the subject, particularly to countries which had not yet submitted their national programmes of action.

17. Ms. LIEDES (Finland) welcomed the joint approach taken by UNICEF, UNDP, WHO and UNFPA in acquainting themselves with the needs of the Baltic States and the Commonwealth of Independent States. UNICEF should take the same approach when preparing a comprehensive report on the matter for the consideration of the Board at its regular session. Due consideration should be given to action already taken by the Governments concerned as well as to outside assistance provided through other channels. Her delegation would welcome an analysis of the comparative advantage of UNICEF as a potential channel of assistance. It would also be pleased to receive the background report on the pertinent agenda item well in advance.

18. Finland's national programme of action had been completed and would soon be submitted to UNICEF.

19. Ms. SYAHRUDDIN (Indonesia) said that the world had changed significantly during the past year. Accordingly, the role and responsibilities of UNICEF had become all the more urgent.

20. Her delegation was encouraged by developments in Eastern Europe but remained concerned that the period of transition to a market-oriented economy could be one of great hardship. The action taken by UNICEF to meet the needs of children in those areas was therefore most welcome.

21. Her delegation was pleased to read of UNICEF activities to prevent a further deterioration in the situation of children and other vulnerable groups. However, it should be noted that specially raised emergency funds would be used to meet those growing needs, so that a reduction in normal donor financing of UNICEF activities in other parts of the world, an understandable concern of the developing countries, might be avoided. During the previous year alone, the expenditures of UNICEF in Indonesia had been reduced by $1 million.

22. At the Coordinating Conference on Assistance to the Newly Independent States, the Executive Director had made specific mention of the imbalance in the plight of children in the developing countries. Her delegation was confident that UNICEF would meet its future responsibilities equitably.

23. Mr. KUDRYAVTSEV (Russian Federation) said that the UNICEF secretariat had done a very good job of studying the needs of children and mothers in Central and Eastern Europe and in the Commonwealth of Independent States, a new group of countries that were in the process of moving from a planned economy to a market economy, which transition would make great demands on them.

24. Many programmes for children could no longer be funded within the budget and, as a result, the incidence of death and disease among children had increased. Because of the worsening food supply situation in Russia, some 30,000 children were born each year with congenital and hereditary diseases; of those 70 to 75 per cent were disabled. Over the last 10 years the incidence of disability had doubled. The situation was made still worse by the lack of medications, medical supplies, specialized medical institutions and baby foods.

25. The Russian Federation had provided the UNICEF secretariat with detailed information on the plight of mothers and children in Russia, on the basis of which objective documents could be prepared and an impartial assessment could be made at the UNICEF summer session.

26. The Russian Federation thanked the UNICEF secretariat for preparing, in collaboration with WHO, a report on the health situation in Russia and in other republics of the former USSR. The international community, and UNICEF in particular, should predicate their future actions on that report. It would be useful for the secretariat to convey to the Governments of States Members of the United Nations, and especially to potential donor countries, the reports prepared by the expert missions to Russia. In so far as they might affect UNICEF budget planning, the Russian Federation would like the parameters for UNICEF activity in Central and Eastern Europe and in the Commonwealth of Independent States to be considered as a separate agenda item at the June session, and would therefore like item 5 (e) to read as follows: "Central and Eastern Europe and the Commonwealth of Independent States". Decisions as to documentation and other organizational questions could be made by the UNICEF secretariat in consultation with the States concerned.

27. The Russian Federation was grateful to UNICEF for the efforts it was making to help not only Russia, but also other republics of the former USSR. It was convinced that that aid, which was currently so sorely needed, was only temporary and that the country could quickly overcome the serious difficulties it was facing and once again take its place among the donor countries.

28. Mr. YEGOROV (Observer for Belarus) said that his delegation had listened very attentively to the statements by the Executive Director and the Deputy Executive Directors and had noted with great interest the report on UNICEF involvement in Central and Eastern Europe, including the Commonwealth of Independent States (E/ICEF/1992/CRP.3). UNICEF had taken a variety of measures in that region; the latter was going through a period of profound and difficult social, economic and political change, and was facing problems of global as well as regional dimensions.

(Mr. Yegorov, Observer, Belarus)

29. UNICEF had in particular taken part in the ministerial-level Coordinating Conference on Assistance to the Newly Independent States in Washington on 23 January 1992 and would contribute to the implementation of the decisions taken there. As a first measure, UNICEF, acting in cooperation with WHO and other United Nations agencies, had sent inter-agency missions to the Commonwealth of Independent States and to the three Baltic States. After quickly reviewing them, Belarus had sent the documents prepared by those missions to the appropriate national authorities for study. The mission had given an objective account of the situation of women and children in the country, and his delegation supported the recommendations contained in the report. The latter outlined the measures that UNICEF and other United Nations agencies could take in the short and long term to help children and mothers who were the victims of exceptional and rapidly deteriorating circumstances, and his delegation thanked UNICEF for sending those missions.

30. Belarus supported the proposal made by the Russian Federation regarding the measures that the UNICEF secretariat could take before the Board's next session; it hoped that representatives of the States concerned would participate, as that would help to lay the groundwork for practical action.

31. Mrs. MBELLA NGOMBA (Observer for Cameroon), with the support of Ms. SEMAFUMU (Observer for Uganda), noted that the report on the status of documents (E/ICEF/1992/INF/2) did not mention a new date for the distribution of the document on UNICEF strategy for Africa (E/ICEF/1992/L.4). That document should, it seemed to her, deal with the UNICEF/OAU donors' conference. She wondered whether information on the progress of that conference would appear in the said document or in a different one.

32. Mr. VACEK (Czechoslovakia) said that the document on Central and Eastern Europe and the Commonwealth of Independent States must be prepared with the utmost care. The discussion of the matter in June would be both complex and animated. To enable the Board to arrive at reasonable and equitable decisions, the secretariat should prepare a report containing as much information as possible on the areas within UNICEF's mandate. The report should describe the situation of women and children in individual countries, set priorities and establish the necessary level of UNICEF involvement.

33. Mr. RYSINSKI (Poland) welcomed the UNICEF initiatives to address the situation in Central and Eastern Europe, which were a first step towards augmenting the presence and involvement of UNICEF in the region. He noted with gratitude the expression of solidarity by the international community, particularly by the Finnish and Indonesian delegations.

34. The documents under preparation for the Executive Board session to be held in June should be as comprehensive as possible and action-oriented, with a focus on the potential for UNICEF intervention.

35. His delegation would welcome consideration of the issue of Central and Eastern Europe as a separate item.

36. Mr. JOLLY (Deputy Executive Director, Programmes) said that he took good note of the comments made by Finland, Indonesia, the Russian Federation, Belarus and Poland on the documents on Central and Eastern Europe and the Commonwealth of Independent States. He welcomed the fact that Finland had already set up its own programme of action, which was now under way.

37. With regard to the point raised by the delegation of the Russian Federation, copies of the reports of the UNICEF/WHO collaborative missions had been forwarded to all the Governments of the countries of the Commonwealth of Independent States, as well as to the 47 Governments that had participated in the Coordinating Conference, held in Washington on 23 January 1992. Copies of the overview report of the missions had been transmitted to all Executive Board members present at the working lunch held on Thursday, 19 March. The documents in question were now available upon request.

38. With regard to the suggestion by the Russian delegation, supported by the Polish delegation, that the question of Central and Eastern Europe should be dealt with separately from the issue of interregional programmes, he said that that was a matter for the officers of the Board to decide. The officers of the Board could consider the matter and report on their conclusions to the Board.

39. In response to the point raised by the Observer for Cameroon, he said that the report on the UNICEF strategy for Africa was under preparation and would be circulated early enough for delegations to examine it prior to the June session. With regard to the documents that were being prepared for the donors' conference of the Organization of African Unity (OAU), since those were OAU documents, they would not be formally submitted to the Executive Board.

40. Lastly, in response to the points raised by the representatives of Czechoslovakia and Poland concerning UNICEF activities in Central and Eastern Europe, he said that the Executive Board documents that would deal with precisely that subject would discuss the matter in much greater detail than the information note by the Executive Director (E/ICEF/1992/CRP.3) did.

41. Mr. WILLIAMS (Secretary of the Executive Board), referring to the question of a separate item on projects concerning Central and Eastern European countries and the Commonwealth of Independent States, raised by the delegations of the Russian Federation and Poland, said that the agenda was being discussed informally. Any suggestions and proposals should therefore be put forward in the course of those discussions.

42. Document E/ICEF/1992/L.4, on the UNICEF strategy for Africa, which the Observer for Cameroon had inquired about, should be available by mid-April and would be circulated, in English, to delegations immediately.

(b) EXTERNAL RELATIONS MATTERS

43. The CHAIRMAN said that, if she heard no objection, she would take it that the Executive Board wished to adopt item 4 (b).

(c) ADMINISTRATION AND FINANCE MATTERS

44. Mr. POST (Netherlands) said that, for the sake of logic, he supported the suggestion made by the Deputy Executive Director, Operations, concerning the comprehensive review of project posts provided for by Executive Board resolution 1991/29.

45. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to adopt item 4 (c).

PREPARATIONS FOR THE 1992 REGULAR SESSION

(a) STATUS OF DOCUMENTS (E/ICEF/1992/INF/2)

46. Mr. WILLIAMS (Secretary of the Executive Board) said that some documents would be issued late, including the document on office space for headquarters, the report of the Advisory Committee on Administrative and Budgetary Questions and the report of the Director-General on the situation in Central and Eastern Europe and the Commonwealth of Independent States.

47. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to take note of the status of documents.

(d) THEMES OF INFORMAL MEETINGS

48. Mr. WILLIAMS (Secretary of the Executive Board) drew attention to a list of possible topics for informal sessions set out on page 3 of the provisional agenda of the organizational session (E/ICEF/1992/L.3). The meetings in question would take place from 9 a.m. to 10 a.m. during the Executive Board session, except on the first day. In preceding years, many delegations had complained that the secretariat had sometimes scheduled two informal meetings on different topics concurrently, since they were not always able to attend both meetings. It was for the Executive Board to decide how many topics should be discussed at the informal meetings, but delegations were now invited to tell the officers of the Board which topics they considered of the greatest interest.

49. If, as had been the case the previous year, the Executive Board did not reach a clear-cut decision on the matter, the Chairman, in consultation with the officers of the Board, would draw up a list of the topics selected, which she would then transmit to delegations.

50. Mr. SCOTT (Australia) said that his country would like item 13 on the list, concerning AIDS, to be considered in the context of the informal meetings.

51. Mr. SCOULAR (United Kingdom), observing that he had not yet received instructions from his Government, said that he would like items 2, 4, 6 to 9, 11 and 13 to 15 to be selected.

52. Mr. GRAHAM (United States of America) said that his Government had examined the list of topics and had a preference for items 2, 4 to 6, 10, 11 and 13 to 15.

53. Mr. NIELSEN (Denmark) said that he would like items 2, 4, 7 to 9 and 12 to 15 to be taken up.

54. Mr. POST (Netherlands) said that he would prefer items 2, 4, 7, 8, 11 and 12 to 15.

55. Mr. VACEK (Czechoslovakia) said that he would like items 2, 4, 6 to 10, 14 and 15 to be considered.

56. Mr. KUDRYAVTSEV (Russian Federation) said that he regarded items 2, 3, 10 and 15 as being of particular interest.

57. Ms. MOLSON (Canada) stated a preference for items 6 to 9 and 11 to 15.

58. Mr. WILLIAMS (Secretary of the Executive Board) said that the secretariat would draw up a list of the topics mentioned by delegations the greatest number of times.

59. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to take note of the themes of informal meetings.

RECOMMENDATION TO THE EXECUTIVE BOARD FOR PROGRAMME COOPERATION: UNICEF MAURICE PATE AWARD (E/ICEF/1992/P/L.1)

60. Mr. GRANT (Executive Director) said that, in December 1991, the Bureau had considered the 14 nominations for the 1992 Maurice Pate Award which it had received from various regions of the world. While recognizing that there were a number of deserving nominees, he was recommending that UNICEF should give the award to the Bangladesh Rural Advancement Committee (BRAC), which was probably the largest indigenous non-governmental organization in the developing world. In doing so, UNICEF was commending BRAC for its outstanding contribution particularly in the areas of health education, community organization and participation of women in development.

61. The CHAIRMAN said that, if she heard no objection, she would take it that the Executive Board approved the recommendation that the 1992 Maurice Pate Award be awarded to the Bangladesh Rural Advancement Committee.

62. It was so decided.

DRAFT DECISION ON THE RECOMMENDATIONS OF THE UNESCO/UNICEF JOINT COMMITTEE ON EDUCATION (E/ICEF/1992/CRP.6)

63. Mr. WILLIAMS (Secretary of the Executive Board) drew attention to document E/ICEF/1992/CRP.6 saying that the discussions which had been held on the issue the previous year in the Programme Committee had been very positive but that, for technical reasons, the Executive Board had taken no decision on the issue. The resolution contained in the document before the Board would enable UNICEF to carry out its responsibilities vis-à-vis UNESCO, its partner in the UNESCO/UNICEF Joint Committee on Education.

64. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to adopt the draft decision contained in document E/ICEF/1992/CRP.6.

65. It was so decided.

DRAFT DECISION AMENDING EXECUTIVE BOARD DECISION 1990/1 REGARDING THE TIMING OF THE PRE-BOARD ORGANIZATIONAL SESSION (E/ICEF/1992/CRP.7)

66. Mr. WILLIAMS (Secretary of the Executive Board) said that in its decision 1990/1, the Board had decided that it would meet every January for an organizational session but that, as the 1991 session had been held in February and the 1992 session would be held in March, it had been suggested that the wording be amended so as to state simply that the organizational session would be held during the first three months of the year.

67. Mr. GRAHAM (United States of America), supported by Mr. SCOTT (Australia), endorsed the proposal to amend Executive Board decision 1990/1 but suggested that the words "but at least 60 days prior to the regular session" should be inserted in section 4 (a) of the decision after the words "at an appropriate time" so as to ensure that UNICEF could take into account decisions taken at the organizational session prior to the convening of the regular session.

68. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to adopt the draft decision, as amended.

69. It was so decided.

STANDARD BASIC COOPERATION AGREEMENT (E/ICEF/1992/L.1 and Add.1 to 3 and E/ICEF/1992/L.2)

70. Ms. LOKHAUG (Deputy Executive Director, Operations) recalled that, at the Bureau meeting of the Executive Board in September 1991, it had been suggested that in order to lighten the agenda of the Board's June session, the Standard Basic Cooperation Agreement could be considered at the organizational session, since a consensus was close and the remaining differences could be settled in informal meetings prior to the session. In accordance with the decision taken

(Ms. Lokhaug)

by the Bureau, informal meetings had been held with new Board members to familiarize them with the issue. Those who had been unable to attend had been given the opportunity to meet with staff from the Office of Legal Affairs and UNICEF. Furthermore, meetings had been held with individual Board members and, in particular, with those who had proposed amendments to the standard text at the Board's 1991 session. The series of meetings had ended with the informal consultative luncheon meeting on Thursday, 19 March, at which it had been decided to amend document E/ICEF/1992/L.2 slightly by adding to the recommendation the words "as and when this is mutually agreed by the concerned Government and UNICEF". For reasons of consistency the same wording had been added to paragraph 17 of document E/ICEF/1992/L.1, entitled "Report on the Standard Basic Cooperation Agreement between UNICEF and Governments". Thus any Government which did not wish to renegotiate existing agreements would be free to make that choice. At the informal meeting the consensus had been that Governments which still wished to make specific proposals of national relevance would withhold their proposals until the bilateral renegotiations took place, at which time the proposals could be discussed. That practice had also been followed to conclude a basic standard cooperation agreement with five countries (Namibia, Sao Tomé and Principe, Belize, Ecuador and Romania) with whom UNICEF had not had an agreement.

71. During the past three years and despite government requests for renegotiation, UNICEF had had to postpone all renegotiations pending finalization of the standard text. During that time, 28 countries had requested a revision of their existing agreements (17 countries from Africa, 5 from Latin America, 4 from Asia and 2 from the Middle East). The new Standard Basic Cooperation Agreement was urgently needed.

72. She recalled that the Executive Director had decided to bring the text of the Standard Basic Agreement to the notice of the Board to make sure that there would be broad consultations before the text was presented to individual Governments for their acceptance. The Bureau of the Executive Board and the delegations which had participated at the informal meeting on Thursday, 19 March and also the Office of Legal Affairs and the secretariat of UNICEF felt that the present text was acceptable and ready to be noted by the Executive Board.

73. Mr. MONTES DE OCA (Observer for Mexico) thanked the secretariat for reviewing the progress made in the preparation of the Standard Basic Cooperation Agreement between UNICEF and Governments. He realised that UNICEF and the Office of Legal Affairs had worked hard to prepare the document. Currently there were 28 States that wished to conclude an agreement with UNICEF. One year earlier, five States had wanted to do so and had in effect concluded an agreement outside the Standard Basic Agreement. The 28 new States should in no way suffer from the fact that the document had not yet been adopted. He could not understand why UNICEF should delay signing an agreement with those countries.

(Mr. Montes de Oca, Observer, Mexico)

74. During the informal consultations, Mexico had proposed amendments and they had been incorporated into document E/ICEF/1992/L.1/Corr.1. There appeared to be problems with the translation into French and Spanish. Only the English text faithfully reflected the Mexican proposal.

75. He would like to propose some amendments, but since consultations were currently under way he suggested that consideration of the issue should be postponed to the next meeting.

76. Ms. LOKHAUG (Deputy Executive Director, Operations) said that the Executive Board had authorized UNICEF to negotiate only with Governments which had not, as yet, concluded an agreement with UNICEF. The 28 new countries in question were requesting renegotiation of existing agreements that could not be done until the Executive Board took note of the new Standard Basic Cooperation Agreement.

77. The CHAIRMAN announced that the Board would continue its consideration of the issue at the next meeting.

The meeting rose at 6.15 p.m.

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UNITED NATIONS CHILDREN'S FUND

EXECUTIVE BOARD

March 1992 organizational session

SUMMARY RECORD OF THE 3rd MEETING

Held at Headquarters, New York,
on Wednesday, 25 March 1992, at 10 a.m.

Chairman: Miss SETH (India)

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Standard Basic Cooperation Agreement (continued)

Other matters

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent to Ms. M. A. Cuna, Office of the Secretary of the Executive Board, room H-12K, UNICEF House, 3 United Nations Plaza, New York.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.10 a.m.

STANDARD BASIC COOPERATION AGREEMENT (E/ICEF/1992/L.1 and Add.1-3 and E/ICEF/1992/L.2) (continued)

1. Mr. MONTES DE OCA (Observer for Mexico) said that no distinction should be made between the five States which had to sign bilateral agreements with UNICEF for the first time and the other 28 States which were renegotiating existing agreements. His delegation had held consultations with many delegations and was assured that most of them took a favourable view of the suggestions his country had made, which appeared in paragraph 2 of document E/ICEF/1992/L.1/Corr.1. He was referring specifically to the suggestion that the words "under applicable law" should be added at the end of paragraph 1 of the English text of article VIII, which had received considerable support during informal consultations held by his delegation. The Office of the Legal Counsel and the secretariat of UNICEF felt that that suggestion was a viable option. Moreover, his delegation suggested that, in the English text of article XII, the words "shall be" should be replaced by "may be", since it would prefer it if an agreement of that nature was more flexible and if the tax exemption referred to in that article was not an obligation but was established in bilateral agreements in accordance with existing national legislation.

2. Ms. LIEDES (Finland) said that the organizational session was perhaps not the appropriate time to take a final decision with regard to the objections that some delegations had made to the content of the Agreement. Her delegation also had some concerns about the Agreement, which it had explained during the informal consultations of the Board and to members of the secretariat responsible for drafting the final version of the standard Basic Cooperation Agreement. In particular, it would like it to be made clear in the preamble to the text that UNICEF was carrying out its operations within the framework of the operational activities of the United Nations system. She also suggested that the suggestions made by the Mexican delegation should be considered at a later stage, when the Board was in a position to take a final decision on those matters.

3. Mr. KABIR (Observer for Bangladesh) said that the Board should take note of the standard Basic Cooperation Agreement in order to enable the secretariat to initiate bilateral negotiations with Governments; the final text of the Agreement could then be adjusted to take into account the situation in different countries.

4. Mr. GRAHAM (United States of America) said it was regrettable that the comments that were being made at such an advanced stage of the debate on the standard Basic Cooperation Agreement had not been made earlier. He supported the view of the representative of Finland, and noted that the stage for consideration of procedural matters had already been concluded. The matter under consideration should therefore be postponed until the regular session of

(Mr. Graham, United States)

the Board. He hoped that, when that time came, delegations which wished to do so would have held bilateral meetings with the secretariat to submit their views on the standard Basic Cooperation Agreement.

5. Mr. LENZI (Italy) said that the Mexican suggestions were substantive and should be considered at the regular session in June.

6. Mr. KOIKE (Japan) supported the statements made by the representatives of the United States and Italy. However, since the subject had already been considered at previous regular sessions, it might be possible to use the current meeting of the organizational session to determine whether other delegations shared the concerns expressed by the representative of Mexico and had substantive objections to the text of the standard Basic Cooperation Agreement, without initiating a debate on the matter. He suggested that informal bilateral consultations should be held before the end of the meeting, and that the results of those consultations should be transmitted to the Board that same day. Before any such consultations, his delegation would like clarification as to whether the Board's function was merely to take note of the standard Basic Cooperation Agreement, so that no Government would be obliged to accept the contents of the Agreement; and whether the Board would then authorize the secretariat of UNICEF to initiate bilateral negotiations with the Governments concerned on various questions, including those raised by the representative of Mexico.

7. Mr. SCOULAR (United Kingdom) said that the text before the Board was only a set of possible parameters; consequently, the precise wording of the text was not very important, as long as it was in line with the general interests of most countries. The Board was now very close to producing a text of that nature, since Mexico had suggested only one or two amendments, and they were minor. For example, with regard to the English text of article XII, in which the representative of Mexico was suggesting that the words "shall be" should be replaced, his delegation felt that those words could be changed to "should be", thereby meeting the concerns of Mexico and at the same time retaining the general tone of the text.

8. Ms. DIOP (Senegal), Miss ZINDOGA (Zimbabwe) and Mr. VILCHEZ ASHER (Nicaragua) supported Japan's position that the Board should take note of the standard Basic Cooperation Agreement and that the secretariat should continue to hold informal bilateral consultations with the Governments concerned.

9. Mr. MONTES DE OCA (Observer for Mexico) said that the suggestion made by the representative of the United Kingdom concerning article XII was acceptable and would enable the Board to move closer towards a solution. With regard to the first suggestion made by his delegation, namely, that the words "under applicable law" should be added at the end of article VIII, paragraph 1, he asked whether the Office of Legal Affairs could give an opinion.

10. Mr. SCOTT (Australia), referring to the amendment suggested by the delegation of Mexico (E/ICEF/1992/L.1/Corr.1, para. 2) concerning article VIII, paragraph 2, of the Agreement, asked whether the fact that Mexico had not brought up that amendment again meant that it had withdrawn it.

11. Mr. MONTES DE OCA (Observer for Mexico) said that he had proposed that amendment in order to clarify a position that had developed during the bilateral negotiations with the UNICEF secretariat and the Office of the Legal Counsel; but it was no longer pertinent because article VIII, paragraph 2, as it stood in the standard Basic Cooperation Agreement satisfied his delegation.

12. Ms. LOKHAUG (Deputy Executive Director, Operations), replying to the question regarding the Board's function raised by the delegations of Bangladesh, Japan, Zimbabwe, Senegal and others, said that in view of the recommendation contained in document E/ICEF/1992/L.2/Corr.2, UNICEF could not initiate new negotiations with the 28 Governments or with any other Government before the Board had approved that recommendation. UNICEF would initiate such negotiations only when a concerned Government so agreed. Also, it was clear that the standard Agreement was meant to serve as the basis for new bilateral negotiations, during which any special national interests would be taken into account. That was the Board's function, rather than to reach agreement on all the details.

13. Mr. SSEKANDI (Deputy Director, General Legal Division of the Office of Legal Affairs) said that the discrepancies between the secretariat text and the proposals of delegations centred on article XII. Extensive consultations had been held with the delegation of Mexico and an attempt had been made to take into account the interests of States. The Board had before it a correction containing the suggestions submitted by Mexico, as revised orally at the meeting by its delegation, and he wished to emphasize that, in addition to consulting with the Legal Counsel and with UNICEF, the Board was ready to state at the conclusion of the meeting that the secretariat and the Office of Legal Affairs would have no objection whatsoever if a Government with which the Agreement was being negotiated would prefer to use the current wording of paragraph 25 of document E/ICEF/1992/L.1/Corr.1, and that they would also not object to adding the phrase "under applicable law" in article VIII, paragraph 1, at the request of Governments during their negotiations with the secretariat. With regard to the amendment to article VIII, paragraph 2, Mexico had indicated privately to the Board that UNICEF had author's prerogatives where the text was concerned, and therefore the Board had taken the opportunity to correct the particular error in question without reproducing Mexico's draft of paragraph 2.

14. As to the proposal of Japan, Senegal and Zimbabwe that an arrangement should be arrived at in respect of article XII, the Greeting Card Operation had generated income for UNICEF for almost 40 years and each time there had been an attempt to make that activity taxable, the UNICEF practice had been to intervene on the basis of the Convention on Privileges and Immunities in order to avoid taxation. The funds produced by the Operation were used exclusively

(Mr. Ssekandi)

to promote UNICEF objectives. Therefore greeting card sales should not be considered a taxable commercial activity, a position accepted by the many countries which had granted tax exemption. The use of discretional wording in the standard Agreement would undermine the advances made in the bilateral agreements concluded with Governments. The Board had asked the delegation of Mexico, in exchange for agreement on its other proposals, to consider the possibility of not insisting on its request, but it had not done so. The Board would hold new consultations with Mexico and would inform the members of the outcome at the afternoon meeting.

15. Mr. MONTES DE OCA (Mexico) said that he wished to clarify his position and show flexibility, and would agree to the retention of the wording of article XII. However, it was a matter of logic: if the words "other products" or "products" were added, some other flexible term should also be added, such as "may be". If only the greeting cards were referred to, the words "shall be" would be acceptable, but in the case of other products it would be very dangerous because it would run counter to the very aims of UNICEF and to the possibility of encouraging States to expand the system of tax exemptions.

16. Mr. GRANT (Executive Director) said that he would wish that the text could be kept as it stood, although it was subject to negotiation. The great majority of countries, who did act according to logic in distinguishing between the greeting cards and other products, offered tax exemptions and allowed those funds to benefit children. He therefore hoped that the concept could be maintained and urged Mexico to join the majority.

17. The CHAIRMAN suggested that informal consultations should be held with the delegation of Mexico. Accordingly, the adoption of a decision on item 9 would be deferred.

OTHER MATTERS

18. The CHAIRMAN read out to the Board the amendment contained in document E/ICEF/1992/CRP.11. If she heard no objection, she would take it that the members of the Board wished to adopt the amendment.

19. It was so decided.

20. Mr. WARD (Canada), speaking as Chairman of the drafting sessions, drew the attention of the members of the Board to document E/ICEF/1992/CRP.12, which contained in greater detail the proposal he had made the previous day. The number of meetings came to 30, a number permitted by the General Assembly. In response to the request of some members of the Board to divide consideration of item 5 (e) in the proposed timetable for the Programme Committee, on Friday, 19 June, the interregional and other programmes would be considered at the morning meeting and the programmes for Central and Eastern Europe and the Commonwealth of Independent States would be taken up at the

(Mr. Ward, Canada)

following meeting. With regard to the proposed timetable for the Committee on Administration and Finance for Monday, 22 June, and Tuesday, 23 June, further changes could be made through consultations with the secretariat. He therefore proposed focusing on the main clusters of items that he had introduced the previous day and asked members for their cooperation in reaching a consensus on them.

21. Mr. RYSINSKI (Poland) said that his delegation would prefer the order of items 5 (e) and 5 (f) to be reversed, so that item 5 (e) would include the programmes for Central and Eastern Europe and the Commonwealth of Independent States and item 5 (f) would cover the interregional and other programmes.

22. Mr. SCOTT (Australia) said that it was his understanding that the proposal made the previous day had to do with a new arrangement regarding the chairmanship.

23. Mr. WARD (Canada) said that, indeed, the two proposals before the Board had to do, first, with amendments to the provisional timetable in document E/ICEF/1992/CRP.12 and, secondly, with the rotation of the chairmanship, specifically by assigning it for two years to developing countries and for one year to developed countries. There was as yet no consensus on those questions.

24. The meeting was suspended at 11.05 a.m. and resumed at 12.40 p.m.

25. Mr. WARD (Canada) said that he was pleased to inform the members that a consensus had been reached in the informal consultations with regard to items 5 (b) and (c). The relevant recommendations would be made at the afternoon meeting.

26. The CHAIRMAN invited the Board to consider the adoption of document E/ICEF/1992/CRP.13 on the future work and procedures of the Executive Board.

27. Mr. TISSOT (United Kingdom) said that he had no objection to the contents of the document but pointed out that section 3 on documentation recommended reducing the number of pages for country programme recommendations, whereas the Executive Board Reference Group had recommended adding one more page to the recommendations for the inclusion of additional information.

28. The CHAIRMAN said that, if she heard no objection, she would take it that the Board wished to adopt the draft recommendation on document E/ICEF/1992/CRP.5, contained in document E/ICEF/1992/CRP.13.

29. It was so decided.

30. Ms. RIEHM (NGO Committee on UNICEF) said that, in response to the global concern over the issue of the education of girls, the Working Group on Education of the NGO Committee on UNICEF had held a number of meetings, among them an information meeting at UNICEF headquarters, where the groundwork had

(Ms. Riehm)

been laid for the Consultation on Education for All Girls that had been held in November 1991. The recommendations resulting from that Consultation had been presented to the International Consultative Forum on Education for All held in Paris from 4 to 6 December 1991. The NGO Working Group on Education was organizing a conference on education for girls to be held in New York in April, which would focus on the country plans of 15 flagship countries from five regions of the world where education for girls was a major concern. The resulting recommendations, together with a call to action by non-governmental organizations, would be presented in June to the Executive Board, and she requested that her Committee should be allowed to make a second statement at that time.

The meeting rose at 12.50 p.m.

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UNITED NATIONS CHILDREN'S FUND

EXECUTIVE BOARD

Organizational session for 1992

SUMMARY RECORD OF THE 4TH MEETING

Held at Headquarters, New York,
on Wednesday, 25 March 1992, at 3 p.m.

Chairman: Ms. SETH (India)

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(b) Chairman's working paper on Board procedures

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Standard Basic Cooperation Agreement

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent to Mrs. M. A. Cuna, Office of the Secretary of the Executive Board, room H-12K, UNICEF House, 3 United Nations Plaza, New York.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.05 p.m.

PREPARATIONS FOR THE 1992 REGULAR SESSION

(b) CHAIRMAN'S WORKING PAPER ON BOARD PROCEDURES (E/ICEF/1992/CRP.5)

(c) PROVISIONAL ANNOTATED AGENDA AND ORGANIZATION OF WORK, EXECUTIVE BOARD SESSION, 15-26 JUNE 1992 (continued) (E/ICEF/1992/1, E/ICEF/1992/CRP.12)

1. Mr. WARD (Canada), reporting on the results of the informal drafting meeting, said it had been agreed that the Secretariat would draw up a working paper, based on the proposal concerning the rotation of the chairmanship of the Executive Board and E/ICEF/1992/CRP.5, recommending that a decision should be taken on the matter at the beginning of the regular session of the Executive Board in June 1992. Agreement had also been reached on the revised provisional timetable (E/ICEF/1992/CRP.12), as amended. He read out the following amendments which had been agreed upon: (a) the question of the rotation of the chairmanship would be placed at the beginning of the agenda; (b) the order of consideration of programmes would be adjusted to ensure a better distribution of regional presentations between day and evening meetings; (c) a separate time slot would be reserved for Central and Eastern European countries and the Commonwealth of Independent States; (d) the schedule of meetings would be adjusted to permit a more rational use of time.

2. Mr. SCOTT (Australia) said that, while it did not disassociate itself from the consensus, his delegation was opposed to the rotation of the chairmanship on the basis proposed, namely alternating two terms for developing countries with one term for an industrialized country. It was very important for both categories of countries to remain partners, and the issue must not become politicized.

3. The CHAIRMAN said that, if she heard no objection, she would take it that the Executive Board wished to adopt the proposed organization of work, as amended.

4. It was so decided.

5. The CHAIRMAN said that consideration of item 5 (b) and (c) of the agenda had thus been concluded.

STANDARD BASIC COOPERATION AGREEMENT (E/ICEF/1992/L.1 and Add.1 to 3; E/ICEF/1992/L.2)

6. Mr. MONTES DE OCA (Observer for Mexico) suggested that consideration of the proposed standard Basic Cooperation Agreement should be postponed until

(Ms. Montes de Oca, Observer, Mexico)

the June session, since his delegation would like to have more time for consultations with its Government.

7. Mr. SCOULAR (United Kingdom) said that it was for the members of the Executive Board to take a decision and that it would be regrettable if the decision were to be deferred, since the Board was close to a consensus on the draft under consideration.

8. Ms. MEHTA (India) said that, without prejudice to her delegation's basic position on the substance, the concerns of a delegation with observer status only should not be relevant.

9. Ms. LIEDES (Finland) proposed that consideration of the draft text should be postponed until the June session because some delegations still had reservations on its substance.

10. Mr. SCOULAR (United Kingdom) said that he found it difficult to understand the problems which some delegations had with the text. It was a collection of guidelines without binding force, which the Executive Board had simply been asked to take note of, and not to adopt. The text should be viewed only as a basis for negotiations.

11. Ms. LIEDES (Finland) suggested that the meeting should be suspended so that consultations could be continued.

The meeting was suspended at 3.15 p.m. and resumed at 4.30 p.m.

12. Mr. SSEKANDI (Office of Legal Affairs), responding to a point raised by the delegation of Finland at the previous meeting, said that the Office of Legal Affairs saw no objection to mentioning in the text of the standard Basic Cooperation Agreement that the UNICEF mandate fell within the framework of the operational activities of the United Nations.

13. Mr. POST (Netherlands) said that the members of the Executive Board had agreed to reword the recommendation accompanying the draft standard Basic Cooperation Agreement to read: "The Executive Director recommends that the Executive Board take note of the standard Basic Cooperation Agreement, as well as taking note of concerns expressed by some delegations, to enable the secretariat to use it in negotiations with Governments with which UNICEF cooperates in programmes, with due respect to national legislation, as and when this is mutually agreed by the concerned Governments and UNICEF. The secretariat will continue discussions with concerned Governments and report back on this in a conference room paper to the June 1992 session." The new wording gave complete latitude to UNICEF and the Governments concerned to continue negotiations.

14. The CHAIRMAN proposed that the Executive Board should take note of document E/ICEF/1992/L.2, as amended.

15. It was so decided.

16. Ms. MEHTA (India) said that her delegation maintained its reservations with regard to the provisions concerning intellectual property rights and UNICEF staff in the country, and that it considered the Agreement non-binding.

17. Mr. KHALIL (Observer for Egypt) said that it should be possible to tailor the text of the Basic Cooperation Agreement to the specific needs of the Governments involved. Egypt had reservations with regard to articles XIII, XV, XVIII and XXI and hoped that they would be taken into consideration if the Government needed to renegotiate its existing agreement with UNICEF. Furthermore, it was his understanding that Governments were in no way required to renegotiate such agreements if they found them satisfactory.

18. Mr. MONTES DE OCA (Observer for Mexico) said that his country maintained its reservations with regard to articles VIII and XII of the draft agreement. It was important to preserve the agreement system. The Basic Cooperation Agreement was not binding and should be subject to modification to take into account conditions in individual countries. As far as Mexico was concerned, the reservations it had expressed with regard to the Convention on the Privileges and Immunities of the United Nations should be taken into account.

19. Mr. HUH (Republic of Korea) said that any reservations concerning negotiation of the Agreement with Governments should be applied universally. Specifying that reservations applied to a certain country could only be a source of confusion to other countries.

20. Mr. COSTA FILHO (Brazil) said that his country had joined the consensus with the understanding that the Basic Cooperation Agreement left room for adjustments to be made during bilateral negotiations.

21. Mr. ADOUKI (Congo) said that, while he welcomed the contribution of non-member delegations to the consultations, he wondered whether, by giving those delegations the same rights as members of the Executive Board, the nature of that body might be called into question, and whether that might interfere with the Board's decision-making mechanism.

22. Mr. WILLIAMS (Secretary of the Executive Board) said that members of the Executive Board and observers had different voting rights, as was clearly stated in the by-laws. It was, however, traditional within UNICEF to work by consensus, in a collegial manner which had proved to be effective. Dialogue was all the more essential because often a particular country alternated between member and observer status.

23. The CHAIRMAN said that the Board had concluded its consideration of item 9 of the agenda.

24. After an exchange of courtesies, she declared the organizational session closed.

The meeting rose at 4.55 p.m.